

78A-6-401 Separate procedures for minors committed to the Division of Child and Family Services on grounds other than abuse or neglect -- Attorney general responsibility.

- (1) The processes and procedures described in Part 3, Abuse, Neglect, and Dependency Proceedings, designed to meet the needs of minors who are abused or neglected, are not applicable to a minor who is committed to the custody of the Division of Child and Family Services on a basis other than abuse or neglect and who are classified in the division's management information system as having been placed in custody primarily on the basis of delinquent behavior or a status offense.
- (2) The procedures described in Subsection 78A-6-118(2)(a) are applicable to a minor described in Subsection (1).
- (3) The court may appoint a guardian ad litem to represent the interests of a minor described in Subsection (1), upon request of the minor or the minor's parent or guardian.
- (4) As of July 1, 1998, the attorney general's office shall represent the Division of Child and Family Services with regard to actions involving a minor who has not been adjudicated as abused or neglected, but who is otherwise committed to the custody of the division by the juvenile court, and who is classified in the division's management information system as having been placed in custody primarily on the basis of delinquent behavior or a status offense. Nothing in Subsection (3) may be construed to affect the responsibility of the county attorney or district attorney to represent the state in those matters, in accordance with the provisions of Section 78A-6-115.

Renumbered and Amended by Chapter 3, 2008 General Session